

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 12913US03

PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application
Commissioner for Patents
Alexandria, VA 22313-1450

CUSTOMER NO. 23,446

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Paul D. Beattie, David P. Wilkinson, Paul Kozak, Haijiang Wang, Sheilah Neumann, John Robert Gordon, Kelvin Keen-Ven Fong, Sonia Geillis Wong-Cheung, Michael Todd Davis, Bien Chiem and Lynn C. Erickson

Title: FLUID DIFFUSION LAYERS FOR FUEL CELLS

1. Type of Application

This new application is for a:

- ☒ utility patent.
☐ design patent.

This application is a:

- ☐ continuation
☒ divisional
☐ continuation-in-part (CIP)

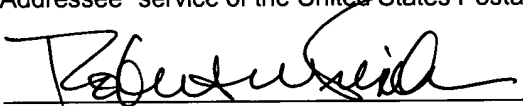
of prior application **Serial No. 09/951,655**
filed **September 13, 2001**.

2. Application Papers Enclosed

- Title Page
34 Pages of Specification (excluding Claims, Abstract & Drawings)
4 Page(s) of Claims (1-28)
1 Page(s) of Abstract
1 Sheet(s) of Drawings (Fig. 1)
☒ Formal
☐ Informal

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **September 22, 2003**, in an envelope addressed to the Mail Stop Patent Application, Commissioner for Patents, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV 329 160 378 US.


Robert W. Fieseler

3. **Declaration or Oath**

☒ Enclosed

Executed by (check all applicable boxes)

☒ Inventor(s) (copy from prior application)

☐ Legal representative of inventor(s)

(37 CFR 1.42 or 1.43)

☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached

☐ The petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 are enclosed. See Item 5D below for fee.

☐ Not enclosed - the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. **Additional Papers Enclosed**

☒ Preliminary Amendment/Remarks

☐ Information Disclosure Statement, including copies of cited references

☐ Declaration of Biological Deposit

☐ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence

☐ Verified statement(s) claiming small entity status under 37 CFR 1.9 and 1.27

☐ Associate Power of Attorney

☐ Verified translation of a non-English patent application

☐ An assignment of the invention

☐ Certified copy(ies) of application(s):

COUNTRY	APPLICATION NO.	FILED

from which priority under 35 USC 119 is claimed

☐ is(are) attached.

☐ will follow.

☐ Other

5. Filing Fee Calculation (37 CFR 1.16)

A. ☒ Utility Application

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$375.00		\$ 750.00
TOTAL	24 - 20	= 4	X 9 =	\$	X 18 =	\$ 72.00
INDEP.	3 - 3	= 0	X 42 =	\$	X 84 =	\$ 0.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$	+ 280 =	\$ 0.00
Filing Fee:				\$	OR	\$ 822.00

B. ☐ Design Application (\$165.00/\$330.00) Filing Fee: \$ _____

C. ☐ Plant Application (\$260.00/\$520.00) Filing Fee: \$ _____

D. Other Fees

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ _____

☐ Petition fee for filing by other than all the inventors
or person on behalf of the inventor where inventor refused
to sign or cannot be reached [Fee -- \$130.00] \$ _____

☐ Other \$ _____

Total Fees Enclosed \$ 822.00

6. Method of Payment of Fees

☒ Enclosed check in the amount of: \$ 822.00

☐ Charge Deposit Account No. 13-0017 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

☐ Not enclosed

7. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-0017.

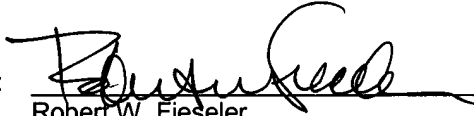
Please refund any overpayment to Deposit Account No. 13-0017.

Please direct all future communications to Robert W. Fieseler at the address below.

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Please direct all telephone calls to Robert W. Fieseler at (312) 775-8123. Please direct all facsimile transmissions to Robert W. Fieseler at (312) 775-8100. Please direct all e-mail transmissions to rfieseler@mhmlaw.com.

Respectfully submitted,

By: 
Robert W. Fieseler
Registration No. 31,826

Date: September 22, 2003